

## Local Criminal Notice of Appeal Form.

NOTICE OF APPEAL  
United States District Court

Western District of New York

UNITED STATES OF AMERICA

RICHARD MULLEN

Docket No.: 1:04 CR 00189-001

Richard J. Arcara

(District Court Judge)

RICHARD MULLEN

Notice is hereby given that \_\_\_\_\_ appeals to the United States Court of Appeals for the Second

Circuit from the judgment [X], other [\_\_\_\_\_] (specify)

entered in this action on 9/30/09  
(date)

Offense occurred after November 1, 1987 Yes [X] No [ ]

This appeal concerns: Conviction only [ ] Sentence only [ ] Conviction and Sentence [X]

Date 10/9/09  
TO \_\_\_\_\_

Leigh E. Anderson, Esq. &amp; David J. Seeger, Esq.

(Counsel for Appellant)

Address 69 Delaware Avenue

Suite 1100

Buffalo, New York 14202

Telephone Number: 716-856-1536

ADD ADDITIONAL PAGE (IF NECESSARY)

## TO BE COMPLETED BY ATTORNEY

## TRANSCRIPT INFORMATION - FORM B

| QUESTIONNAIRE   | TRANSCRIPT ORDER  | DESCRIPTION OF PROCEEDINGS FOR WHICH TRANSCRIPT IS REQUIRED (INCLUDE DATE) |
|---|---|--|
| <input type="checkbox"/> I am ordering a transcript<br><input checked="" type="checkbox"/> I am not ordering a transcript<br>Reason<br><input type="checkbox"/> Daily copy is available<br><input type="checkbox"/> U.S. Attorney has placed order<br><input checked="" type="checkbox"/> Other. Attach explanation | Prepare transcript of<br><input type="checkbox"/> Prepare proceedings<br><input type="checkbox"/> Trial<br><input type="checkbox"/> Sentencing<br><input type="checkbox"/> Post-trial proceedings | Dates _____  |

The attorney certifies that he/she will make satisfactory arrangements with the court reporter for payment of the cost of the transcript. (FRAP 10(b)).

Method of payment [X] Funds [ ] CJA Form 24 [ ]

ATTORNEY'S SIGNATURE

DATE 10/9/09

| COURT REPORTER ACKNOWLEDGMENT |                                     | To be completed by Court Reporter and forwarded to Court of Appeals. |                           |
|-------------------------------|-------------------------------------|--|---------------------------|
| Date order received           | Estimated completion date           |  | Estimated number of pages |
| Date _____                    | Signature _____<br>(Court Reporter) |  |                           |

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- Original to U.S. District Court (Appeals Clerk).
- Copy U.S. Attorney's Office.
- Copy to Defendant's Attorney
- U.S. Court of Appeals
- Court Reporter (District Court)

**RICHARD MULLEN**


**10/9/09**

**1:04-CR-00189-001**

**Western District of New York**

**ATTACHMENT TO NOTICE OF APPEAL**

Counsel for Defendant Richard Mullen has not ordered a transcript because a) counsel has not been retained by Mr. Mullen to represent him on appeal, b) upon information and belief, Mr. Mullen is eligible for a CJA-assigned attorney to represent him on the appeal and c) there was no trial of the issues.

  
DAVID J. SEEGER, ESQ.  
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